

## **REMARKS**

In the advisory action dated September 23, 2003, the rejection of claims 22-36, in the above-identified U.S. patent application was maintained. Reconsideration of the rejections is respectfully requested in view of the above amendments and the following remarks.

The advisory action states that the phrase "G protein or G protein coupled receptor initiated extracellular signal pathway" in claim 22 raises the issue of new matter. Applicants respectfully point out that page 2, lines 5-9, discusses modulators of G-protein mediated signal transduction and indicates that activation of the growth factor receptor is preferably mediated by its extracellular domain via an extracellular signal pathway. In addition, there are numerous references to "G protein modulated signal transduction" throughout the application, (e.g. page 3, lines 18 -19).

The advisory action also indicates that claim 32 is vague and indefinite in view of claim 22. Claim 32 has been canceled and re-written as new, independent claim 37. In addition, claims 22 and 36 have been amended to clarify that the G protein mediated signal transduction in a cell is disturbed or stimulated.


Claims 22-36 were rejected under 35 USC §102(a) or alternatively under 35 USC §103(a) as anticipated by or as obvious over Dong et al. Applicants respectfully point out that the Tiruppathi reference attached to the office action does **not** show that the cell line used by Dong has a G-protein mediated signal transduction. The abbreviation "HMEC" used in Tiruppathi represents "human dermal microvascular endothelial cells" (page 7441, top of the left column) while

Dong uses "HMEC" to represent "human mammary epithelial cells" (page 6235, right column).

In addition, the statement of page 5, lines 4-8 of the office action, that Dong used batimastat to study the effect of EGFR on G-protein mediated signal transduction pathways is incorrect. Dong does not reference the G protein and discusses only the inhibition of autocrine signal transduction by means of EGFR. Applicants note that on page 4 of the advisory action, the examiner agrees that "one skilled in the art would not have expected batimastat, which acts on an extracellular pathway of EGFR, to be capable of modulating a G protein mediated signal transduction".

Applicants respectfully submit that all of claims 22-31 and 33-37 are now in condition for allowance. If it is believed that the application is not in condition for allowance, it is respectfully requested that the undersigned attorney be contacted at the telephone number below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fee for such an extension together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 02-2135.

<b>RESPECTFULLY SUBMITTED,</b>					
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